

### **REMARKS**

Applicant appreciates the Examiner's thorough consideration provided in the present application. Claims 1, 6, 7, 9, 15, 16, 19 and 20 are now present in the application. Claims 1 and 9 have been amended. Claims 2, 10, 14 and 18 have been cancelled by this Reply. Claims 1 and 9 are independent. Reconsideration of this application, as amended, is respectfully requested.

#### **Objections to the Claims**

The Examiner objected to claims 1, 2 and 10 due to minor informalities.

In response to the Examiner's objections, claim 1 has been amended to overcome the Examiner's objection; claims 2 and 10 have been canceled, which renders the Examiner's objections moot.

The Examiner is respectfully requested to reconsider and withdraw these objections.

#### **Claim Rejections Under 35 U.S.C. § 101**

Claims 9, 10, 14-16 and 20 stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. This rejection is respectfully traversed.

The Court of Appeals for the Federal Circuit set forth the "Machine or Transformation Test" to determine whether a process invention is patentable, *In re Bilski*, 545 F.3d 943, 88 U.S.P.Q.2d 1385 (Fed. Cir. 2008)(en banc). According to *Bilski*, in order to be patentable, a process patent claim must be "tied to a particular machine, or...transforms an article."

In response to the Examiner rejection, independent claim 9 has been amended to include the recitation of "*performing the following steps by a digital signal processing system*", which is supported by Fig. 6 and the corresponding disclosure of the present application. No new matter has been added.

Therefore, the method in claim 9, as amended, is tied to a digital signal processing system, which is a statutory category under 35 U.S.C. 101, and thus claim 9 and its dependent claims are directed to a statutory process because they fully meet the “machine-or-transformation test.”

Accordingly, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. Reconsideration and withdrawal of this rejection are respectfully requested.

### **Claim Rejections Under 35 U.S.C. §103**

Claims 1, 2, 9, 10, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over D’Hoore (U.S. Patent No. 6,085,160) in view of Burns (U.S. Patent No. 5,454,106) and further in view of Black et al. (NPL Document “Building Voice in the Festival Speech Synthesis System”). Claims 6, 7, 15 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over D’Hoore and Burns and further in view of Black et al. and further in view of Waibel (“Interactive Translation of Conversational Speech”, IEEE 1996). These rejections are respectfully traversed.

A complete discussion of the Examiner’s rejections is set forth in the Office Action, and is not repeated herein.

Without conceding to the propriety of the Examiner’s rejection, but merely to timely advance the prosecution of the application, as the Examiner will note, independent claims 1 and 9 have been amended to respectively incorporate the subject matter of objected-to claims 18 and 14, which renders the Examiner’s rejections moot. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

### **Allowable Subject Matter**

The Examiner states that claim 14 would be allowable if rewritten in independent form and also overcome the rejection under 35 U.S.C. § 101 in claim 9; claim 18 would be allowable if rewritten in independent form and also overcome the objection in claim 1.

Applicant thanks the Examiner for the early indication of allowable subject matter in this application. As set forth above, claim 9 has been amended to overcome the rejection under 35 U.S.C. § 101 and the limitations of objected-to claim 14 have been added into independent claim 9, and therefore independent claim 9 should be in condition for allowance. Also, claims 15, 16 and 20 depend, either directly or indirectly, from independent claim 9, and are therefore allowable based on their dependence from claim 9 which is believed to be allowable.

Claim 1 has been amended to overcome the objection and the limitations of objected-to claim 18 have been added into independent claim 1, and therefore independent claim 1 should be in condition for allowance. Also, claims 6, 7 and 19 depend, either directly or indirectly, from independent claim 1, and are therefore allowable based on their dependence from claim 1 which is believed to be allowable.

Favorable consideration and early allowance of the present application is respectfully requested.

### **CONCLUSION**


It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By   
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